



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

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IN REPLY PLEASE  
REFER TO FILE: **C-1**

December 3, 2002

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

### **AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS ALL SUPERVISORIAL DISTRICTS 3 VOTES**

#### **IT IS RECOMMENDED THAT YOUR BOARD:**

Award and authorize the Director of Public Works or his designee to prepare the construction contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractor for the following:

Project ID No. RMD3246026 - Parkway Tree Planting, Maintenance District 3 - 2002/2003, vicinities of Rosewood, Viewpark, Fernwood, and San Pedro (2, 3, and 4), to Azteca Landscape, in amount of \$53,785.

Project ID No. TRN0000001 - Placement of Bus Shelters, Benches, and Trash Receptacles at Various Locations in All Supervisorial Districts, vicinities of City Terrace, Athens, Willowbrook, Florence, Topanga, and the Antelope Valley, to LNI Custom Manufacturing, Inc., in amount of \$1,722,861.96.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

We are recommending that your Board award these construction contracts and authorize the Director of Public Works or his designee to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including addenda to the contract specifications for Project ID No. TRN0000001.

The recommended construction contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

### **Implementation of Strategic Plan Goals**

The award of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

### **FISCAL IMPACT/FINANCING**

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2002-03 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal and State funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

#### **ENVIRONMENTAL DOCUMENTATION**

Each of these projects was found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for each project.

### **CONTRACTING PROCESS**

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program.

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence (GAIN) Program.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

The Honorable Board of Supervisors  
December 3, 2002  
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**CONCLUSION**

Please return one approved copy of this letter to Public Works.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

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Enc. 2

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance

AWARD OF CONTRACT  
December 3, 2002

PROJECT ID NO. RMD3246026, PARKWAY TREE PLANTING, MAINTENANCE  
DISTRICT 3 - 2002/2003 (in the vicinities of Rosewood, Viewpark, Fernwood, and  
San Pedro), Supervisorial Districts 2, 3, and 4

TYPE OF WORK: Replacement of dead and diseased parkway trees.

CALL FOR BIDS DATE: October 8, 2002 (Synopsis 36)

BID OPENING DATE: November 5, 2002

BID SUMMARY:

Low	*Azteca Landscape, a corporation 1910 South Archibald Avenue, Suite N Ontario, California 91761 (800) 794-0063	\$ 53,785.00
2	Travers Tree Service Company, Inc.	\$ 66,624.00
3	*S & M Landscape, Inc.	\$ 76,340.00
4	*Mariposa Horticultural Enterprises, Inc.	\$ 80,504.00
5	*Ryco Construction, Inc.	\$143,311.00

\*MWBE

FINANCIAL INFORMATION:

Amount of estimate	\$ 76,340.00
Amount of recommended contract	\$ 53,785.00
Amount of recommended contract below estimate	\$ 22,555.00

The amount of the recommended contract is 30 percent below the estimate.

This project is included in the Fiscal Year 2002-03 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Azteca Landscape, an MWBE, has no MWBE subcontractors/suppliers under this contract, which does not have a Federal- or State-mandated DBE goal.

### ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsection (x)(9), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

### CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 45 working days. It is estimated that the work will start in January and completed in April 2003.

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AWARD OF CONTRACT  
December 3, 2002

PROJECT ID NO. TRN0000001, PLACEMENT OF BUS SHELTERS, BENCHES, AND TRASH RECEPTACLES AT VARIOUS LOCATIONS IN ALL SUPERVISORIAL DISTRICTS (in the vicinities of City Terrace, Athens, Willowbrook, Florence, Topanga, and the Antelope Valley)

TYPE OF WORK: Furnishing and installation of bus shelters, benches, and trash receptacles at various bus stops.

CALL FOR BIDS DATE: October 15, 2002 (Synopsis 34)

BID OPENING DATE: November 12, 2002

BID SUMMARY:

Low	LNI Custom Manufacturing, Inc., a corporation 12536 Chadron Avenue Hawthorne, California 90250 (800) 338-3387	\$1,722,861.96
2	Vido Samarzich, Inc.	\$1,747,347.00
3	Zondiros Corporation	\$1,794,210.00
4	*4-Con Engineering, Inc.	\$1,817,565.00

\*MWBE

Los Angeles Engineering, Inc., was the apparent low bidder with a bid of \$1,590,883.05; however, Los Angeles Engineering, Inc., requested that its bid be withdrawn due to a clerical error in the bid computation resulting in a significant underbid. Our review confirmed that a bonafide clerical error had been made. Therefore, under Section 5103 of the Public Contract Code, we recommend award of the contract to the next lowest and responsible bidder.

FINANCIAL INFORMATION

Amount of estimate	\$1,702,620.00
Amount of recommended contract	\$1,722,861.96
Amount of recommended contract above estimate	\$ 20,241.96



The amount of the recommended contract is one percent above the estimate.

This project will be funded by the Federal Transit Administration, the Los Angeles County Metropolitan Transportation Authority, and the Community Development Commission. The non-reimbursable portions of the project will be financed with Proposition A Local Return Transit Funds available in each Supervisorial District's allocation of the Transit Enterprise Fund, which is administered by Public Works.

This project is included in the Fiscal Year 2002-03 Transit Enterprise Fund Budget.

#### MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA

LNI Custom Manufacturing, Inc., has no MWBE subcontractors/suppliers under this contract, which does not have a Federal- or State-mandated DBE goal.

#### ENVIRONMENTAL IMPACT

This project is categorically exempt pursuant to Class 1, Subsection (i), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

#### CONSTRUCTION SCHEDULE

The contract specifications require the work to be completed in 120 working days. It is estimated that the work will start in January and be completed in June 2003.

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